

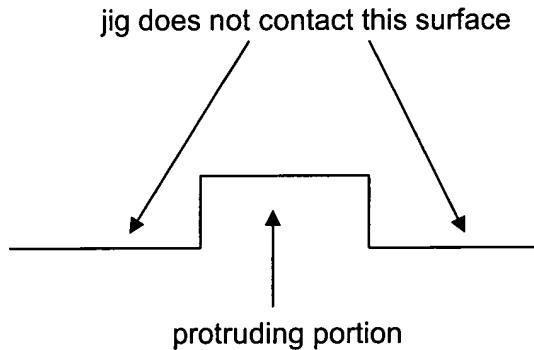
Remarks

Claims 1-21 are pending in the application. Claims 17-21 have been withdrawn pursuant to a restriction requirement.

Claim rejections

Section 103

Claims 1-4, 7, 8 and 10-13 were rejected under 35 USC 103(a) as being unpatentable over Warzawski et al. (US 4,590,134) ("Warzawski") in view of Cisar et al. (US 6,533,827) ("Cisar"). The Applicant respectfully traverses. The cited references cannot support the rejection for at least the reason that they do not disclose or suggest "a protruding portion which is formed on an end portion of each of the separators, and the protruding portion has a tip portion that is to contact a reference portion of an assembly jig, without contacting a surface on which the protruding portion is formed, during assembly of the fuel cell" as recited in claim 1. The noted feature is illustrated below:



As recognized in the Office Action, Warzawski does not disclose a relationship of a protruding portion to a jig. Cisar merely mentions assembly using a jig, but contains no discussion of any relationship between the geometry of the fuel cell and the jig. Accordingly, the person of ordinary skill would not combine Warzawski and Cisar to arrive at the claimed invention. The claims are therefore allowable over the cited combination. Withdrawal of the rejection is respectfully requested.

Claims 5, 6 and 14-16 were rejected under 35 USC 103(a) as being unpatentable over Warzawski and Cisar, and further in view of Kato et al. (US 2002/0187384) (“Kato”). The Applicant respectfully traverses. The claims depend on claim 1, which is allowable over Warzawski and Cisar as discussed above. Kato does not remedy the deficiencies in Warzawski and Cisar with respect to claim 1. Consequently, claims 5, 6 and 14-16 are allowable for at least the reason that they depend on claim 1. Withdrawal of the rejection is respectfully requested.

Claims 1-4, 8, 9 and 11-13 were rejected under 35 USC 103(a) as being unpatentable over Yang (US 6,635,378) in view of Cisar. The Applicant respectfully traverses. Along lines discussed above, the Office Action recognizes that Yang does not suggest the claimed relationship of a protruding portion to a jig. Cisar merely discusses an assembly jib generally. Accordingly, the combination of Yang and Cisar does not render the claimed structure obvious. Withdrawal of the rejection is respectfully requested.

Claims 5, 6 and 14-16 were rejected under 35 USC 103(a) as being unpatentable over Yang and Cisar, and further in view of Kato. The Applicant respectfully traverses. The claims depend on claim 1, which is allowable over Yang and Cisar as discussed above. Kato does not remedy the deficiencies in Yang and Cisar with respect to claim 1. Consequently, claims 5, 6 and 14-16 are allowable for at least the reason that they depend on claim 1. Withdrawal of the rejection is respectfully requested.

Conclusion

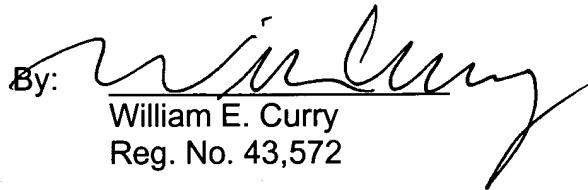
In light of the above discussion, Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

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By:


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